

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DAVID MICHAEL BANNING,
Petitioner,
v.
HUTCHINGS, et al.,
Respondents.

Case No. 2:22-cv-00885-RFB-BNW

ORDER

David Michael Banning has submitted a *pro se* 28 U.S.C. § 2254 habeas petition and an application to proceed *in forma pauperis*. Based on the current information about petitioner's financial status, including any additional information he may have provided, the court finds that he is able to pay the full fee pursuant to 28 U.S.C. § 1915.

IT IS THEREFORE ORDERED that petitioner's motion for leave to proceed *in forma pauperis* without having to prepay the full filing fee (ECF No. 1) is **DENIED**. Petitioner has **45 days** from the date of this order to have the \$5.00 filing fee sent to the Clerk of Court.

IT IS FURTHER ORDERED that failure to do so may result in the dismissal of this action. The Clerk is directed to RETAIN the petition but not file it at this time.

DATED: June 6, 2022.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE